

PATENT


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David H. Parker, et al. Examiner: Ronald E. DelGizzi
Serial No. 09/933,562 Group Art Unit: 2875
Filed: August 2, 2001 Docket No. 58013-022800
Title: PISTOL GRIP FLASHLIGHT

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Date of Mailing: March 10, 2004

I hereby certify that this correspondence and identified enclosures are being deposited with the United States Postal Service, first class mail, postage prepaid, under 37 CFR 1.8 on the date indicated, and addressed to MAIL STOP: FEE AMENDMENT, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.


Name: Kelly Simpson

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES

UNDER 37 CFR § 1.131

MAIL STOP: FEE AMENDMENT
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

We, the below named inventors, hereby declare as follows:

1. This declaration is made to establish completion of the conception of the invention in this application in the United States, at a date prior to December 3, 1999, the earliest effective filing date of U.S. Patent No. 6,364,504.
2. We are the inventors of the above identified patent application.
3. Before the date of December 3, 1999, we created different features of the present invention which included:
 - a. Project definition;
 - b. Concept renderings;
 - c. 3-dimensional foam models; and

4. Before the date of December 3, 1999, and as a portion of our work on the project, we conceived different concepts of the invention as evidenced in the drawings represented in documents dated October 14, 1999, October 29, 1999, November 15, 1999 and November 16, 1999, and archived on computers belonging to Pelican Products, Inc., the assignee of the above invention. Copies of these drawings with the respective creation dates are attached.

5. The documents containing the drawings have been maintained with integrity since their creation dates. The creation date for each document is certified in the Summary Information, a screenshot of which is contained within each drawing printout. The Summary Information indicates the following information for each respective drawing:

Drawing 1:
8C_DIVELIGHT_BR4.SLDASM
Created: November 16, 1999, 1:18:30 pm

Drawing 2:
8C_DIVELIGHT_BR4.SLDASM
Created: November 16, 1999, 1:18:30 pm

Drawing 3:
HANDLE4.SLDPRT
Created: November 15, 1999, 10:34:44 pm

Drawing 4:
REFLECTOR.SLDPRT
Created: October 14, 1999, 9:47:53 am

Drawing 5:
BATTERY_CARRIER2.SLDPRT
Created: October 29, 1999, 8:27:35 am

Drawing 6:
LENS_3BR.SLDPRT
Created: October 14, 1999, 2:14:43 pm

Drawing 7:
LENS_CAP_3BR.SLDPRT
Created: October 14, 1999, 2:14:43 pm


6. These documents were retained with confidentiality, and not for publication, prior to December 3, 1999.

7. Our work on this project continued diligently and at least a constructive reduction to practice was effected by the filing of a patent application on December 3, 1999, which matured into Patent No. 6,364,504.

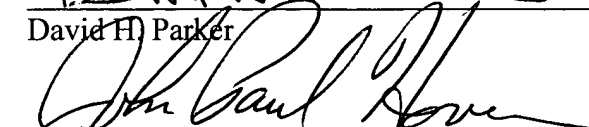
8. We further declare that although the Summary Information for each document reflects that the documents were last saved on a date later than December 3, 1999, no substantive changes were made to the drawings or product following the original date of creation as shown in the attached drawings. We worked on the project from at least the date of creation when the main concepts as shown in the drawings were created and reduced to formal concept drawings. After the formal drawings were rendered as indicated by their creation dates we continued to refine minor concepts of the product in the sense of relative dimensions and details of style. When a file is opened on the computer archive system of the Assignee, it records the last date of the file being Last Saved. For this product, as stated above, no substantive changes were made to the product design or its elements after the date the file was created.

9. We further declare that all statements made herein are of our own personal knowledge, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements or the like may jeopardize the validity of the application or any patent issuing thereon.

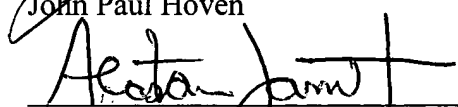
Date: 03/01/04


David H. Parker


Date: 03/01/04


John Paul Hoven

Date: 03/01/04


Alstair Warren Jarrett

Date: 03/01/04


Kevin Deighton